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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

ALATNA VILLAGE COUNCIL, et al.,

Plaintiffs,

v.

THOMAS HEINLEIN, in his official capacity
as Acting Alaska State Director for the U.S.
Bureau of Land Management, et al.,

Defendants,

and

AMBLER METALS, LLC, et al.,

Intervenor-Defendants.

Case No. 3:20-cv-00253-SLG

**STATE OF ALASKA'S
OPPOSITION TO
PLAINTIFFS' MOTION TO
ACCEPT OVERLENGTH
BRIEF**

Intervenor-Defendant State of Alaska (“Alaska”) opposes Plaintiffs’ Motion to Accept Overlength Brief (Doc. 129) and asks that the motion be denied. An overlength brief is unnecessary under the circumstances.

Plaintiffs’ are responding to the motion filed by Defendant Department of the Interior (Doc. 117) seeking an order that would remand for reconsideration two decisions granting rights-of-way to the Alaska Industrial Development and Export Authority. In opposing such relief, Plaintiffs devote a substantial portion of their response (Doc. 128) to discussing extraneous matters, such as preliminary data-gathering activities on State land and State permits and other authorizations that are not at issue in this case. Relatedly, Plaintiffs spend much of their response discussing “ongoing harm from industrial activities,” even though limited activities are planned over the next year.¹ This discussion, frankly, is repetitive and largely irrelevant as it fails to focus on the right-of-way decisions and related activities over which there is federal jurisdiction.

Alaska appreciates that Plaintiffs feel strongly about their arguments, and assures the Court that it is not trying to prevent Plaintiffs from adequately responding to the Department of the Interior’s motion. But Plaintiffs have not shown that they need additional words to present their arguments, particularly if they were to eliminate the repetitive discussion about their alleged injuries and focus more closely on the relief requested in Interior’s remand motion.

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¹ See Plfs.’ Motion at 7-10, 20-24.

DATED: March 24, 2022.

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By: /s/ Ronald W. Opsahl
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CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2022, I caused copies of the foregoing STATE OF ALASKA'S OPPOSITION TO PLAINTIFFS' MOTION TO ACCEPT OVERLENGTH BRIEF to be served by electronic means on all counsel of record by using the Court's CM/ECF system.

/s/ Leilani J. Tufaga
Law Office Assistant II